

GJBK010019892026



Filed on : 27.05.2026

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Decided on : 11.06.2026

Duration : 15.00.0000

D M Y

**IN THE COURT OF 6TH ADDITIONAL SESSIONS
JUDGE, BANASKANTHA DISTRICT AT PALANPUR**

CRI. MISC. APPLN. NO. 618/2026

Exh. _____

**Applicant: Bhargavkumar @ Lalo Nimeshkumar Mandora
(Mali),**

Age: 32 years, Occ.Driving,

R/o. 160, Tulshipark Society, Gobari Road,

Palanpur, Tal.Palanpur, Dist.Banaskantha.

[Currently in judicial custody].

Versus

Opponent: The State of Gujarat

**SUBJECT :- APPLICATION
UNDER SECTION 483(1) OF
THE BNSS, 2023 FOR
TEMPORARY BAIL.**

Appearance:

Mr. D.G.Vaishnav, Ld. Adv. for the Applicant

Mr. M.R. Chaudhary, Ld. Spl. P.P. for the State.

:: J U D G M E N T ::

- 1) Present application is filed by applicant under Section 483(1) of BNSS, 2023 seeking temporary bail for 30 days from 25/05/2026 to 25/06/2026 in connection with an offence registered against him vide CR. No. 11195010251122 of 2025 under Sections 103(1), 109(1), 115(1), 189(2), 190, 191(2)(3), 3(5), 324(4), 61(2) of BNS, 2023 and Section 135 of the G. P. Act, with Palanpur City West Police Station.
- 2) Heard learned Advocate Mr. D. G. Vaishnav for the applicant. He has submitted that the applicant has been behind the bars in the above offence since last 5 months and the trial will takes considerable period of time. He has further submitted that the applicant is the sole bread winner of his family and he has the responsibility to maintain his family including one son, wife and old age parents. He has further submitted that his father has expired on 24/01/2014 and he is having responsibility to look after his mother, who is 65 years old. He has further submitted that his only son-Nishav, has to get admission in Std.III and he is required to pay the fees of his tuition/ education. Hence, the applicant is required to be released on temporary bail for the aforesaid period so that he can arrange funds for the studies of his only son. He has

further submitted that there are no chances of hampering or tampering with evidence and witnesses. He is also ready to abide by the terms and condition that this Hon'ble Court may impose. He is also ready to give surety as directed by this Hon'ble Court. Hence, he has prayed to allow this application.

- 3) Heard learned Spl. PP Mr. M. R. Chaudhary for the State. He has filed the affidavit of the Investigating Officer at Exh. 8, wherein, the Investigating Officer has opposed the temporary bail of the applicant. He has submitted that serious offence of murder is registered against the applicant and the applicant is the main accused in this offence. He has further contended that the other family member of the applicant are there to pay the fees for the education of applicant's son. Looking to the nature of offence as well as modus operandi for commission of the offence, the applicant may not be released on temporary bail as he may pose threat to the witnesses and may also disturb the peace and tranquility of the society. Therefore, learned APP has prayed to reject the present application.
- 4) Heard learned Advocates for both the parties. Perused the bail application as well as affidavit of I. O. produced on record. It reveals that regular bail applications of the applicant have already been rejected by the then 3rd Additional Sessions Judge, Palanpur. It further reveals that the applicant has committed the serious offence like murder by forming unlawful assembly. The applicant is the main accused of the offence as per the police papers

produced on record. The applicant has sought temporary bail for a period of 30 days only on the ground that he has to pay the fees of his only son, who has been promoted to Std. III. The reason/ground for the temporary bail, assigned by the applicant is not satisfactory and convincing as the tuition fees can be paid by any of the family members of the applicant. The applicant is alleged of committing serious offence like murder by forming unlawful assembly and there is a strict provisions of punishment for such offence. In fact, looking at the stage of the Sessions Case, it is at the stage of opening of the case by prosecution, which is crucial stage and there are chances of influencing the witnesses by posing serious threats. Therefore, in the facts and circumstances of the case, this court is of the view that the discretionary power is not required to be exercised bereft concrete grounds for temporary bail. Accordingly, following order is passed;

:ORDER:

Present application of applicant for temporary bail is hereby rejected.

Signed & pronounced on today on this 11th day of June, 2026.

Place: PALANPUR.

Date: 11/06/2026

(D. S. Shrivastava)
6th Additional Sessions Judge,
Banaskantha at Palanpur
[Code No. : GJ00819]